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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,235	06/27/2003	Niall O'Donoghue	879A.0054.U1(US)	8545
29683 7590 09/26/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212			EXAMINER OKEKE, IZUNNA	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 09/26/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/608,235	<b>Applicant(s)</b> O'DONOGHUE, NIAL	
	<b>Examiner</b> IZUNNA OKEKE	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/27/2003, 02/23/2004 and 08/11/2008</u> .                   | 6) <input type="checkbox"/> Other: _____                          |



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### **DETAILED ACTION**

1. In view of the appeal filed on 03/14/2008, PROSECUTION IS HEREBY REOPENED.

A non-final Office action is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Gilberto Barron Jr/  
Supervisory Patent Examiner, Art Unit 2132

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Nykanen (US-20020173295).

a. Referring to claim 1:

Regarding claim 1, Nykanen teaches a method for authenticating a user of an electronic device in a plurality, of usage contexts the user is able to use with the electronic device (Abstract teaches a method of authenticating applications a user is able to use in an electronic device) , the method comprising:

maintaining a centralized register of the usage contexts available for the electronic device and pre-stored user profiles, each user profile being associated with at least one usage context (Para 93 teaches a centralized memory of the device which stores usage contents and privacy profiles which are associated with the contexts),

the electronic device entering a particular one of said plurality of usage contexts, said particular one being a selected usage context (Para 71-91 teaches the device selecting one of a plurality of applications or usage context),

the electronic device identifying said entering, selecting from the centralized register a user profile in response to said identifying (Para 98 teaches the device identifying the selection and selecting a privacy profile for the application), and

performing authentication in the selected usage context by using data from the selected user profile (Para 98 teaches performing authentication and granting access rights from the privacy profile).

a. Referring to claim 2:

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Regarding claim 2, Nykanen teaches a method according to claim 1, wherein the selected user profile comprises at least one of the following: a user key, a user certificate (Para 98).

a. Referring to claim 3:

Regarding claim 3, Nykanen teaches a method according to claim 2, wherein said User key further comprises at least one of the following a public key and a secret key (Para 98).

a. Referring to claim 4:

Regarding claim 4, Nykanen teaches a method according to claim 1, wherein the selected usage context comprises an event in a service or application being used in the electronic device by the user, said event further comprising at least one of the following: authentication event, verifying event (Para 71-91 teaches the usage context comprising an event in an application which further comprises an authentication event or verifying event such as banking services etc).

a. Referring to claim 5:

Regarding claim 5, Nykanen teaches a method according to claim 1, wherein the authentication comprises authenticating user's identity when accessing to the selected usage context (Para 98 teaches the authentication comprising authenticating the user's identity or security data when accessing the application).

a. Referring to claim 6:

Regarding claim 6, Nykanen teaches a method according to claim 1, wherein the authentication comprises authenticating a transaction made by the user in the selected usage context (Para 71-91 and 98 teaches banking and transaction services available to the device and authenticating these services comprises authenticating the transaction made by the user).

a. Referring to claim 7:

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Regarding claim 7, Nykanen teaches an electronic device for authenticating a user of said electronic device in a plurality of usage contexts the user is able to use with the electronic device (Para 22 teaches the WAP Client of the device for authenticating a user), the electronic device comprising:

a centralized register of the usage contexts available for the electronic device and pre- stored user profiles, each user profile being associated with at least one usage context (See the rejection in claim 1),

entering means for entering a particular one of said plurality of usage contexts, said particular one being a selected usage context (See Fig 1. Keypad 104 and the rejection in claim 1),

identifying means for identifying said entering (See Fig 1. and the rejection in claim 1),

selecting means for selecting from the centralized register a user profile in response to said identifying (See Fig 1. 104 and 108 and the rejection in claim 1), and

performing means for performing authentication in the selected usage context by using data from the selected user profile (See Fig 1. 108 and the rejection in claim 1).

a. Referring to claim 8:

Regarding claim 8, Nykanen teaches an electronic device according to claim 7, wherein said performing means are arranged to perform said authentication by using said data from the selected user profile to authenticate the user's identity when accessing the user to the selected usage context (Para 98 teaches performing authentication by using data from the privacy profile).

a. Referring to claim 9:

Regarding claim 9, Nykanen teaches an electronic device according to claim 7, wherein said performing means are arranged to perform said authentication by using said data from the

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selected user profile to authenticate a transaction made by the user in the selected usage context (Para 4, 33 and 98 teaches performing authentication by using the data from the privacy profile to authenticate a transaction).

a. Referring to claim 10:

Regarding claim 10, Nykanen teaches an electronic device according to claim 8, wherein said user profile comprises at least one of the following: user key and user certificate (See the rejection in claim 2).

a. Referring to claim 11:

Regarding claim 11, Nykanen teaches an electronic device according to claim 10, wherein said user key further comprises public key and secret key (See the rejection in claim 3).

a. Referring to claim 12:

Regarding claim 12, Nykanen teaches an electronic device according to claim 11, wherein said electronic device is a mobile communication device (Para 20).

a. Referring to claim 13:

Regarding claim 13, Nykanen teaches an electronic device for authenticating a user of said electronic device in a plurality of usage contexts the user is able to use with the electronic device (Para 20-22 teaches a device for authenticating a user to a plurality of applications), the electronic device comprising:

a centralized register of the usage contexts available for the electronic device and pre- stored user profiles, each user profile being associated with at least one usage context,

an interface for entering a particular one of said plurality of usage contexts, said particular one being a selected usage context, a processor configured to: identifying said entering, selecting



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from the centralized register a user profile in response to said identifying (See Fig 1, Para 71-91 and the rejections to claims 1 and 7 which teaches a centralized memory which stores privacy profile and contexts and a keyboard interface for selecting the contexts), and performing authentication in the selected usage context by using data from the selected user profile (See the rejection in claim 1).

a. Referring to amended claim 14:

Regarding claim amended, Nykanen teaches a computer readable medium encoded with a computer program executable by a processor to perform actions for an electronic device for authenticating a user of said electronic device in a plurality of usage contexts the user is able to use (Para 7 and 93 teaches instructions embodied on a computer readable medium which will be executed by a processor to perform the actions of the electronic device for authenticating a user), the actions comprising:

maintaining a centralized register of the usage contexts available for the electronic device and pre-stored user profiles, each user profile being associated with at least one usage context, entering to a particular one of said plurality of usage contexts, said particular one being a selected usage context, identifying said entering, selecting from the centralized register a user profile in response to said identifying (See the rejection to claim 1, 7 and 13), and performing authentication in the selected usage context by using data from the selected user profile (See the rejection to claim 1, 7 and 13).

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IZUNNA OKEKE whose telephone number is (571)270-3854. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/I. O./

Examiner, Art Unit 2132

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132